ROBERT L. KEUCH
DEPUTY ASSISTANT ATTORNEY GENERAL
CRIMINAL DIVISION

8/31/78

Mr. Heymann:

I concur with the attached recommendation that we not prosecute John Ray for perjury.

I would emphasize that we have made every effort through John Ray's attorney to determine whether or not threat of prosecution or prosecution itself would result in any change in John Ray's testimony to the Committee. It seems clear from those conferences that Ray will persist in his position that his testimony concerning the bank robberies was accurate and truthful. This prosecution would in no way aid or assist the Committee's inquiry which might be an appropriate factor if the matter were an appropriate criminal prosecution standing alone. However, for the reasons well set forth in the attached memorandum, even that is not so, so we have what I think would be a no win prosecution which would serve neither the Committee's interest nor our interests.

DEPARTMENT OF JUSTICE

(202) 739-2333